

Minutes
Air Pollution Control Board
Indiana Government Center South
Conference Room A
402 West Washington Street
Indianapolis, Indiana

February 6, 2002
1:02 p.m.

1. Mr. John Walker, Chairman, called the meeting to order. He noted that a quorum was present.

CALL TO ORDER
QUORUM

2. Chairman Walker introduced the board members.

INTRODUCTION OF
MEMBERS

Present: Mr. John Walker, Chairman
Mr. Thomas Anderson
Mr. Chris Horn
Dr. James Miner
Dr. Phil Stevens
Mr. David Benshoof
Mr. Randy Staley
Mr. Marlow Harmon
Mr. Howard Cundiff, Proxy, State Board of Health
Ms. Michaela Kendall, Proxy, Lieutenant Governor

Also present were Mr. Timothy Method, Deputy Commissioner; Ms. Janet McCabe, Assistant Commissioner; and Ms. Kathy Watson, Branch Chief. The following IDEM staff members were present for all or part of the meeting: Susan Bem, Greg Wingstrom. Others are recorded on a separate sheet and made a part of this record. A court reporter was present and a transcript is available for review.

Chairman Walker introduced new board member, Ms. Michaela Kendall, Proxy for the Lieutenant Governor. She replaces Melanie Solmos.

2. Mr. Method reported on House Bill 1004, that includes provisions to increase existing statutory fees to IDEM for wastewater, solid waste and hazardous waste; Senate Bill

REPORTS

259 that deals with the hazardous air pollutant emission reporting rule that the board has preliminarily adopted; and House Bill 1338 that prohibits the use of MTBE, an additive to gasoline, as an oxygenator within Indiana.

Ms. McCabe reported that revisions to the Title V permitting rules and the prevention of significant deterioration rules have been submitted to EPA for approval.

Ms. McCabe reviewed the 2001 ozone season summaries. As of the end of the 2001 ozone season, all areas of Indiana have air quality that meets the one-hour ozone standard.

Ms. McCabe announced that a rulemaking to amend the NOx rule would be initiated soon to address the new compliance date for Section 126 sources.

3. Chairman Walker introduced the October 3, 2001 Air Pollution Control Board minutes.

MINUTES

Mr. Benshoof moved to adopt the October 3, 2001 Air Pollution Control Board's Minutes. Mr. Cundiff seconded. The motion passed unanimously.

Chairman Walker announced that no non-rule policy documents would be presented at this meeting.

4. Chairman Walker introduced Exhibit 1-A, the rule as preliminarily adopted, and Exhibit 1-B, the rule as preliminarily adopted and proposed for final adoption with suggested changes, into the record of the hearing.

PUBLIC HEARING FOR FINAL ADOPTION OF AMENDMENTS TO 326 IAC 6-3, Process Weight Rate

Ms. Watson, stated that the Process Weight Rate rule was presented to the board for final adoption in August, 2001, but because of concerns expressed at the second public hearing, IDEM returned to the discussion table and re-addressed the rule. The major changes that the department is suggesting include narrowing the applicability to control particulate from manufacturing processes; defining "manufacturing process"; and expanding the exemption list. Ms. Watson said that the compliance branch is developing guidance for Title V certifications and would like to work with companies to address concerns they might have with certifying compliance with this rule. Ms. Watson asked the board to final adopt the amendments to 327 IAC 6-3, Process Weight Rate.

Attorney Tony Sullivan, representing Bethlehem Steel, asked the board to eliminate the rule in its entirety. He stated that the rule, developed 40 years ago, has outlived its useful life. Mr. Sullivan asked the board to remove the rule from the system rather than amend it as requested by the department or, at a minimum, exempt all insignificant activities.

Mr. Douglas Fitzgerald, speaking on behalf of Monaco Coach Corporation, expressed a concern relating to occasional visible emissions and the difficulty of certifying compliance with the rule.

Mr. Anderson moved to adopt the amendments to 362 IAC 6-3. Mr. Cundiff seconded. The motion passed unanimously.

Mr. Anderson moved to final adopt the rule as amended. Mr. Stephens seconded. The motion passed 10-0.

5. Chairman Walker introduced Exhibit 2, the draft rule, into the record of the hearing.

Ms. Watson stated that Union Tank Car Company has limits in the state implementation plan for PM₁₀ for their grit blasting equipment. The limits cannot be met with available control equipment. The original emission limit was set at a level that was not achievable by this industry. This rulemaking would change emission limits without allowing actual emissions to increase. IDEM has performed air quality analysis on the adjusted PM₁₀ limits; it showed that these limits would meet the 24-hour and annual national ambient air quality standard for PM₁₀. Ms. Watson asked the board to preliminarily adopt the amendments to rule 326 IAC 6-1-10.1.

**PUBLIC HEARING
FOR PRELIMINARY
ADOPTION OF
AMENDMENTS TO
326 IAC 6-1-10.1, Union
Tank Car Company,
Lake County**

Dr. Miner moved to preliminarily adopt amendments to rule 326 IAC 6-1-10.1. Mr. Staley seconded. The motion passed unanimously.

6. Chairman Walker introduced Exhibit 3, the draft rule, into the record of the hearing.

Ms. McCabe stated that the purpose of the rule is to provide surface coaters who wish to dip coat miscellaneous metal parts with a means to demonstrate compliance with the surface coating rules. The board previously adopted a dip tank rule

**PUBLIC HEARING
FOR PRELIMINARY
ADOPTION OF
AMENDMENTS TO
326 IAC 8-1-2,
Compliance Methods
Applicable to Dip or
Flow Operations Subject
to Volatile Organic
Compounds Rules**

that EPA would not approve as a revision to the state implementation plan (SIP). EPA has stated that the rule being presented to the board for action is acceptable as an amendment to the SIP. Ms. McCabe requested the board to preliminarily adopt the rule.

Mr. Douglas Fitzgerald, speaking on behalf of Monaco Coach Corporation, expressed concerns of limitations of the rule as it is written. Mr. Fitzgerald requested the baseline transfer efficiencies be fixed within the rule.

Mr. Greg Wingstrom, IDEM Staff, commented on discussions with EPA.

Mr. Cundiff moved to preliminarily adopt amendments to rule 326 IAC 8-1-2. Mr. Anderson seconded. The motion passed unanimously.

7. Chairman Walker introduced Exhibit 4, the draft rule, into the record of the hearing.

Ms. Susan Bem, IDEM staff, gave a brief overview of the new rule that would incorporate into state rules air emissions standards that are consistent with federal emission guidelines for commercial and industrial solid waste incinerators. Ms. Bem requested that the board adopt the rules as presented.

**PUBLIC HEARING
FOR PRELIMINARY
ADOPTION OF
AMENDMENTS TO
326 IAC 11-8,
Commercial and
Industrial Solid Waste**

Ms. Watson stated this is a federal rule that is largely an incorporation by reference, except for some additional specificity at the state level relating to flexibility for closure and compliance deadlines.

Mr. Bernie Paul, representing Eli Lilly and Company, commented on the additional time period to close down incinerators and asked if a waste management plan would be required for an incinerator that is going to be closed down.

Mr. Anderson moved to preliminarily adopt amendments to rule 326 IAC 11-8. Dr. Miner seconded. The motion passed unanimously.

8. Chairman Walker introduced Exhibit 5, the draft rule, into the record of the hearing.

Ms. Watson stated that this rulemaking action would repeal 326 IAC 11-5, fluoride emission limitations for existing primary aluminum plants, because the board adopted a more

**PUBLIC HEARING
FOR PRELIMINARY
REPEAL OF RULE
326 IAC 11-5, Primary**

stringent federal standard (the national emission standards for hazardous air pollutants for primary aluminum reduction plants) into state rules several years ago. Only ALCOA is subject to this rule.

Mr. Benshoof moved to preliminarily repeal rule 326 IAC 11-5. Mr. Harmon seconded. The motion passed unanimously.

9. The next meeting was tentatively scheduled for Wednesday, March 6, 2002 at 1:00 p.m, Indiana Government Center South, Indianapolis, Indiana in Conference Room C.

NEXT MEETING

10. Mr. Cundiff moved to adjourn the meeting. Mr. Benshoof seconded. The vote was unanimous. Chairman Walker adjourned the meeting at 2:19 p.m.

ADJOURNMENT

John Walker, Chairman

These minutes were taken from the February 6, 2001 transcript, and were written on April 2, 2002, by Karol T. Chuma, Office of Air Quality.